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# Israeli asks for subpoena of Bush in arms sale trial

3 By Ralph Z. Hallow  
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A man charged with attempting to sell arms to Iran is trying to subpoena Vice President George Bush, former National Security Adviser Robert McFarlane and his successor, Vice Adm. John Poindexter, who resigned Tuesday as national security adviser.

At issue are several tape recordings by federal agents in which conspirators claimed Mr. Bush approved U.S. arms sales to Iran.

Israeli businessman Guriel Eisenberg, 31, has been accused by the U.S. government of conspiring to smuggle \$2 billion worth of arms to Iran, said a spokeswoman for the U.S. attorney in Manhattan.

Mr. Eisenberg's trial in a New York federal court coincides with the growing controversy surrounding Reagan administration arms sales to Iran in which some of the money was secretly diverted to anti-Marxist rebels in Nicaragua.

The administration has said the

operation was run by an NSC staff member, Lt. Col. Oliver L. North, without the knowledge of President Reagan, Vice President Bush, Secretary of State George P. Shultz and Secretary of Defense Caspar W. Weinberger, all of whom sit on the NSC.

One tape recording consists of a conversation between Samuel Evans, an American lawyer accused of being the middleman in the scheme, and Cyrus Hashemi, an Iranian businessman who, unknown to Mr. Evans, was an undercover agent for the U.S. government.

On the tape, Mr. Evans tells Mr. Hashemi that he has spoken to yet another of the conspirators, who says "the green light now finally has been given. . . . Bush is in favor, Shultz [is] against, but nonetheless they are willing to proceed."

In another taped conversation, John de la Roque, who according to the Los Angeles Times identified himself as a former army colonel living in France, told Mr. Hashemi

sale, but Mr. Bush favored it.

"My understanding is the following: It will move from the vice president through the president," Mr. de la Roque says on the tape. "The vice president — and he's his own man at this point — he's for it. . . ."

"Now it's as far as it can go," Mr. de la Roque says. "And the man that has it now says it's good. You know who he is. He used to be the head of the CIA, so he knows what he's doing."

Mr. Bush was CIA director in the Ford administration.

In New York, Jonathan Marks, Mr. Eisenberg's attorney said in a telephone interview yesterday that the "government is still resisting our attempts" to subpoena Mr. Bush.

"But I think we have a good chance of getting documents that reflect that the United States used Israel as a conduit to sell arms to Iran at the very time the defendants were negotiating the sale of identical arms," Mr. Marks said.

Mr. Marks said the tape recordings involved were made by U.S. Customs agents.

"The allegations in that [suit] are nonsense," C. Boyden Gray, Mr. Bush's legal counsel, said.